

1 PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

On May 14, 2004, the U.S. Environmental Protection Agency (EPA) published a Notice of Availability in the *Federal Register* (Volume 69, page 26817 [69 FR 26817]) for the draft environmental impact statement (DEIS) evaluating the impacts in the United States of constructing, operating, maintaining, and connecting two transmission lines from two power plants in Mexico. In accordance with Council on Environmental Quality (CEQ) and U.S. Department of Energy (DOE) National Environmental Policy Act (NEPA) regulations, the DEIS was distributed to interested agencies, organizations, and the general public to allow them to provide oral and written comments. The May 14, 2004, date marked the beginning of a 45-day comment period, which was to end on June 19, 2004. However, at the request of the plaintiff, (Border Power Plant Working Group), the comment period was extended to July 30, 2004 (A Notice of Comment Period Extension was published in the *Federal Register* on May 26, 2004 [69 FR 29934].)

This volume contains the comments received during the review period and DOE's responses to those comments. All comments received were considered in the preparation of the Final EIS (FEIS).

The remainder of this chapter contains an overview of the public review process and summarizes the main revisions made to the DEIS.

1.1 OVERVIEW OF THE PUBLIC REVIEW PROCESS

The DEIS was also made available in its entirety on the project Web site (<http://web.ead.anl.gov/bajatermoeis/index.cfm>). E-mail notification was sent to those on the project Web site mailing list. Stakeholders were encouraged to provide comments on the DEIS during a 78-day review period, from May 14, 2004, until July 30, 2004.

To facilitate public involvement, stakeholders could submit comments on the DEIS via telephone, letter, e-mail, or the project Web site.

DOE and BLM held two public hearings during the review period in the City Halls at El Centro, California (11:00 a.m. to 1:00 p.m.), and Calexico, California (6:00 p.m. to 8:00 p.m.), on July 14, 2004. The dates and times of the public hearings were announced on the project Web site and in local newspapers. The hearings on the DEIS were an important component in the agencies' continuing efforts to provide the public with opportunities to participate in the decision-making process. The hearings included a presentation by DOE, a question and answer period, and an oral comment session where attendees were invited to formally enter comments into the public record. Transcripts of the public hearing proceedings were recorded by a court reporter and are available on the project Web site and in this EIS (Chapter 2 of this volume of the EIS).

1.2 COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

DOE received 4,804 comment submissions. These submissions came from individuals, Federal and State agencies, local governments, and nongovernmental organizations, such as environmental groups. Of these submissions, 4,696 took the form of mass e-mails and facsimiles based on one of five different campaign letters. Eighty-two of the comment submissions were individually drafted letters, and 26 were transcripts of oral testimony from individuals.

Chapter 2 of this volume provides an index of the commentors as well as copies of the actual letters or other documents containing public comments on the DEIS that were submitted to DOE (including comments extracted from the transcripts of the public hearings). Each submission was assigned a document number. For those documents containing comments, each individual comment was delineated and assigned an identification number. This ensured that the comment tracking system tracked each comment, not just the document itself. It also provided DOE with greater detail regarding the number of comments submitted and the number of documents received.

Chapter 3 discusses key issues that were mentioned in various comments on the DEIS and provides responses to those specific issues. Individual comments (about 375) and corresponding responses are presented in Chapter 4. Each response indicates whether, and if so where, changes have been made in the EIS in response to the comments. Individual responses in Chapter 4 often refer the reader to the key issues discussed in Chapter 3. Chapter 5 is an alphabetical listing of all the references cited in this comment and response document.